

BILL ANALYSIS

C.S.H.B. 2344

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Juvenile Justice & Family Issues
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The Federal Government provides a 66% funding match to the Attorney General's Child Support Division (Title IV-D Agency) for child support services provided by the State of Texas. In turn, the Title IV-D Agency passes the 66% federal match through the counties to cover up the 66% of their costs of the issuance and service of process by counties. The State of Texas is supposed to provide a 33% match to counties but this match has never been funded. Section 231.202, Family Code, authorizes counties to bill the Title IV-D Agency up to \$45 for the cost of serving child support process. Over the last decade most county service fees have risen well beyond \$45, but counties are only authorized to draw down the federal match up to \$45.

C.S.H.B.2344 would enable counties to recoup more of their costs for child support services performed for the Title IV-D Agency by authorizing the commissioners court of a county to set the fee amount. This would allow counties to actually recoup 66% of their costs for performing child support services from federal matching funds.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 231.202, Family Code, by striking "of \$45" and adding language which provides that sheriffs and constables are authorized to charge for serving process under Section 118.131, Local Government Code.

SECTION 2. This Act takes effect September 1, 2003. Prospective provisions.

EFFECTIVE DATE

September 1, 2003.

COMPARISON OF ORIGINAL TO SUBSTITUTE

C.S.H.B.2344 modifies the original H.B.2344 by deleting "\$65" and prescribes language which provides that sheriffs and constables are authorized to charge for serving process under Section 118.131, Local Government Code. The substitute additionally provides for prospective provisions.